

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:20-MC-5-BO

IN RE:)
)
ARKALGUD LAKSHMINARASIMHA)
MISCELLANEOUS DOCUMENTS)

On February 21, 2021, the Chief Judge of this district construed a letter filed by plaintiff titled “ Emergency Show Cause” as a motion pursuant to Rule 60(b) of the Federal Rules of Civil Procedure and directed that it be filed in each case referenced in the motion in letter form. [DE 3].

This case was opened upon an attempt by Mr. Lakshminarasimha to file a criminal complaint. The attempt was dismissed by the Court with prejudice. [DE 1].


It is unclear from plaintiff’s latest filing precisely what relief he seeks. Plaintiff relies on a recent decision by the court of appeals, *Tang v. Univ. of Baltimore*, 832 F. App’x 236 (4th Cir. 2021), to argue that he should be permitted to file a Rule 60(b) motion in this and several other closed cases. In *Tang*, the Fourth Circuit determined that the administrative closing of a case is not a sufficient basis for a court’s refusal to file a motion for reconsideration. *Id.* The district court in *Tang* had returned a Rule 60(b) motion filed by Tang on June 19, 2020, noting that the case had been closed on December 21, 2018.

The instant Rule 60(b) motion provides no ground for relief. In his motion, Mr. Lakshminarasimha asserts that fraud has been committed upon him by both the court and the government, that the State of North Carolina has interfered and broken his family, and that he has been the subject of employment discrimination. His motion is unrelated to his attempt to file a criminal complaint and fails to provide any authority under which this Court could permit Mr.

Lakshminarasimha, a private citizen, to institute criminal charges. *Lopez v. Robinson*, 914 F.2d 486, 494 (4th Cir. 1990); *Barron v. Katz*, No. CV 6:17-195-KKC, 2017 WL 3431397, at *1 (E.D. Ky. Aug. 9, 2017).

Plaintiff's Rule 60(b) motion [DE 2] is therefore DENIED.

SO ORDERED, this the 27 day of April, 2021.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE